

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 27TH DECEMBER 2007 / 6TH POUSHA 1929

Bail Appl.No. 1148 of 2007()

CMP.307/2007 of J.M.F.C.-II, HARIPAD
.....

PETITIONER/ACCUSED NO.1:

BABU, S/O. BABY,
MANNAM PARAMPIL, LAKSHAM VEEDU COLONY,
CHINGOLI VILLAGE, KARTHIKAPALLY TALUK.

BY ADV. SRI.N.P.SETHU

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27/02/2007, THE COURT ON 27/12/2007 PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application NO. 1148 of 2007

DATED: 26-02-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the first accused in Crime No. 15/07 of Karthikappally Excise Range for offences punishable under Secs.8 (1) , 8(2) and 55(g) of the Abkari Act for having been found in possession of 140 litres of wash and 1.750 litres of arrack along with the distilling apparatus on 9-2-2007. The petitioner was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 12-3-2007 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the

B.A. No.1148/07

satisfaction of the J.F.C.M.-II, Harippad, and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.
3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

ani.

Police Station for offences punishable under Secs..... I.P.C., seeks his enlargement on bail. Petitioner was arrested on

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M..... and subject to the following conditions:

1. The petitioner shall report before the

Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3.. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

B.A. No.1148/07

V.RAMKUMAR, JUDGE.

ani.